



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
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June 24, 2019

Greg Triolo
17735 Rising Fawn Road
Amite, Louisiana 70422

Re: **Louisiana Board of Ethics**
Docket No. 2019-565

Dear Mr. Triolo,

The Louisiana Board of Ethics, at its June 21, 2019, meeting, considered your request for an advisory opinion as to whether the Code of Governmental Ethics ("Code") would prohibit you from serving as the Radiology Supervisor or Manager at the LSU Medical Center – Lallie Kemp.

FACTS PROVIDED

You have been employed at the LSU Medical Center – Lallie Kemp ("Lallie Kemp") in Independence since 2016. You are currently a Radiologic Technologist 3 assigned to the X-Ray, CT and MRI sections. Your wife, Marissa Triolo, has been employed at Lallie Kemp since 2001. She is currently a Radiologic Technologist 3 in the Mammography section. You are interested in applying for the position of Radiology Supervisor and/or Radiology Manager. The Manager position is above the Supervisor position, but both positions would place you in a supervisory role over your wife's position.

LAW

La. R.S. 42:1119A provides that no member of the immediate family of an agency head shall be employed in his agency. La. R.S. 42:1119C(2) provides an exception that the Code shall not prohibit the continued employment of any public employee, nor in any way affect normal promotional advancements for such public employee where a member of the public employee's immediate family becomes the agency head of the public employee's agency, provided that the public employee has been employed for more than one year prior to the immediate family member becoming the agency head.

La. R.S. 42:1112B(1) provides that no public servant shall participate in a transaction involving the governmental entity in which, to his actual knowledge, any member of his immediate family has a substantial economic interest. La. R.S. 42:1112C requires that every public employee shall disqualify himself from participating in a transaction involving the governmental entity when a violation of Section 1112 would result.

CONCLUSION

The Board concluded, and instructed me to inform you, that the Code would not prohibit you from being employed as the Radiology Supervisor or Radiology Manager at Lallie Kemp. In the event you are promoted to either position and would be required to supervise your wife, you will need to submit a disqualification plan to the Board for approval pursuant to Section 1112C and Chapter 14 of the Rules of the Board of Ethics, a copy of which is enclosed.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts as presented may result in a different application of the provisions of the Code of Governmental Ethics. The Board issues no opinion as to past conduct or as to laws other than the Code of Governmental Ethics, the Campaign Finance Disclosure Act, the Lobbyist Disclosure Act, and conflict of interest provisions in the gaming laws. If you have any questions, please contact me at (800)842-6630 or (225)219-5600.

Sincerely,

LOUISIANA BOARD OF ETHICS

A handwritten signature in black ink, appearing to read "David Bordelon", written over a horizontal line.

David M. Bordelon

For the Board

Chapter 14. Disqualification Pursuant to the Provisions of Section 1112(C) of the *Code of Governmental Ethics*

§1401. Application

A. Every public employee, excluding an appointed member of any board or commission, shall disqualify himself from participating in a transaction involving the governmental entity when a violation of Section 1112 of the *Code of Governmental Ethics* would result.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:1134(A).

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 23:1300 (October 1997).

§1402. Reporting Requirements; General

A. Every public employee, except an agency head, upon determining that he may be compelled to participate in a transaction involving the governmental entity in violation of Section 1112 of the *Code of Governmental Ethics*, shall immediately, and prior to such participation, report the details of the transaction, in writing, to:

1. his immediate supervisor,
2. his agency head, and
3. to the board.

B. Every agency head, upon determining that he may be compelled to participate in a transaction involving the governmental entity in violation of Section 1112 of the *Code of Governmental Ethics*, shall immediately, and prior to such participation, report the details of the transaction, in writing, to his appointing authority and to the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:1134(A).

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 23:1300 (October 1997).

§1403. Reporting Requirements; Impact on Governmental Entity and Alternative Measures

A. Upon receipt of such written communication from the public employee, the immediate supervisor of the public employee, as well as the agency head (or appointing authority, if applicable), shall immediately, and prior to such participation by the public employee, provide the board, in writing, with a report concerning the impact on the efficient operation of the governmental entity of the potential participation by the public employee and shall provide the board with reports as to alternative measures available to the public employee to prevent participation in the prohibited transaction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:1134(A).

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 23:1300 (October 1997).

§1404. Action by the Board

A. The proposed disqualification procedure shall be implemented by the public employee and his immediate supervisor, and the public employee shall otherwise refrain from participating in the potential transaction until such time as the board has, in writing, provided the public employee, his immediate supervisor, and his agency head with instructions as to the procedure to avoid participation in the prohibited transaction.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:1134(A).

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 23:1300 (October 1997).

Chapter 16. The Board as Supervisory Committee of the Louisiana Campaign Finance Disclosure Act

§1601. General

A. The Campaign Finance Disclosure Act provides that the board shall function as the Supervisory Committee on Campaign Finance Disclosure.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:1134(A).

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 23:1301 (October 1997).

§1602. Political Committees; Names

A. The name of a political committee shall not be the same as, nor deceptively similar to, the name of any other political committee.

B. The name of a political committee organized to support one candidate shall contain the name of that candidate.

C. The name of a political committee supporting or opposing more than one candidate shall not contain the name of an individual, unless the name of the committee in some way clearly reflects that it is not a committee supporting or opposing only that individual.

D. When a political committee uses an acronym in addition to its complete name, each document filed with the supervisory committee shall contain the complete name of the political committee, with the acronym in parenthesis.

E. When the name of a political committee contains a number, the number shall be spelled out in the name and the numerical symbol(s) placed in parenthesis.

AUTHORITY NOTE: Promulgated in accordance with R.S. 42:1134(A).

HISTORICAL NOTE: Promulgated by the Department of Civil Service, Board of Ethics, LR 23:1301 (October 1997).

§1603. Political Committees; Filing Fees

A. A fee of \$100 shall be remitted to the supervisory committee with each statement of organization required to be filed by a political committee.